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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/046,677	03/24/98	FURUKAWA	K 614.1889

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LMC1/1011

EXAMINER

AGDEPPA, H

ART UNIT	PAPER NUMBER
2642	

DATE MAILED: 10/11/00

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No.	Applicant(s)
	09/046,677	FURUKAWA ET AL.
	Examiner	Art Unit
	Hector A. Agdeppa	2742

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) Responsive to communication(s) filed on 24 March 1998 and 21 July 1998.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1 - 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-17 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - a) All b) Some * c) None of the CERTIFIED copies of the priority documents have been:
 1. received.
 2. received in Application No. (Series Code / Serial Number) _____ .
 3. received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- | | |
|---|--|
| 14) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 17) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 15) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 18) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 16) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>3</u> | 19) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1 – 6, 8 – 10, 12, 13, and 15 - 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Kim et al.

Regarding claims 1, 6, 10, and 16, Kim et al. teaches a method and device for a remote maintenance system for maintaining a PBX system, wherein the remote maintenance system is connected to a telephone unit 212 and a telephone network i.e. PSTN (col. 3, lines 13 – 24 and Fig. 2), the remote maintenance system having a CPU 201 for detecting command signals sent from either a telephone unit or the PSTN, which can be considered analogous to the command signal recognition unit claimed by the applicant. (col. 3, lines 28 – 32, and col. 3, line 61 – col. 4, line 12) Furthermore, Kim et al. teaches a CPU 201 controlling a switch circuit 204 so as to connect an incoming call to either the PSTN as in a normal telephone call or to the remote maintenance center 220, which can be likened to the signal transmission inhibition unit claimed by the applicant. (col. 4, lines 1 – 12, and lines 23 – 41) Finally, CPU 201 has the capability, that can be likened to the telephone service processing unit claimed by the applicant, of

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processing data for a telephone service indicated by the aforementioned command signals. (col. 6, lines 43 – 52)

Regarding claims 3 – 5, 8, 12, 13, and 15 Kim et al. teaches the aforementioned CPU 201 as having a DTMF reception circuit 208 and a tone generating circuit 209 for recognizing and detecting DTMF signals sent by either the telephone unit or the telephone network, wherein the DTMF signals may indicate a telephone service. (col. 87, line 14 – col. 9, line 2)

Regarding claim 9, Kim et al., states as well known prior art, a system having a CPU controlling an overall operation of a PBX so as to establish a speech path and perform a variety of functions, a memory ROM and RAM for storing data, and a switch circuit for exchanging all kinds of tone signals, dialing data, and voice data all of which read on voice recording/playback, telephone number entry processing, and file transmission as claimed by the application for the instant invention.

With regard to claim 17, which discloses a software means for accomplishing the method claimed in claim 16 of the application for the present invention, it is obvious that the system taught by Kim et al. also would operate with the appropriate software means.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 7, 11, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. in view of Meyers.

With regard to claims 7, 11, and 14, Kim et al. has been discussed above. What Kim et al. does not explicitly teach is the use of multiple DTMF detection units and converters.

However, Meyers teaches a system for processing calls having a call center 10, wherein the call center may include one or more DTMF receivers, and other resources for processing calls. Clearly, Meyers reads on the above-mentioned claims of the application for the present invention in that the task of detecting and converting signals from a telephone unit or network can be divided among a plurality of DTMF receivers.

It would have been obvious to one skilled in the art at the time the invention was made to have implemented the use of a plurality of DTMF receivers in the invention of Kim et al. so as to allow a call processing system to identify tones and signals used by telephone networks and telephone units in multiple countries.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Pat. No. 5,790,646 (Moon) teaches a remotely accessing

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special services in telephone exchange having a switching circuit, tone generator, DTMF receiver and transmitter, and a central processor connected to a subscriber unit and an office line circuit.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hector A. Agdeppa whose telephone number is 703-305-1844. The examiner can normally be reached on Mon thru Fri 9:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Krista Zele can be reached on 703-305-4701. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-5403 for regular communications and 703-308-5403 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

H.A.A.

September 12, 2000



KRISTA ZELE
SUPERVISORY PATENT EXAMINER
GROUP 2700